

EXHIBIT 1

SEARCH WARRANT

Commonwealth of Virginia VA CODE §§ 19.2-56, 19.2-57

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth to forthwith search the following place, person or thing:

5601 Seminary Rd, Apt. 318, Falls Church, VA 22041

Apartment Complex located on Seminary Rd. The building has a tan brick facade and attached to it is a pedestrian bridge. The apartment is located on the third floor of the North Building. The apartment door is dark gray and on a placard next to the door is 318N in white writing.

for the following property, objects and/or persons:

Any and all firearms, and any components to include ammunition, magazines, frames, slides and any other parts pertaining to a firearm, records and documents pertaining to the sale and or purchase of firearms and any documents related to the crime of threats of death or bodily injury, and all electronic devices.

- ☒ This SEARCH WARRANT authorizes a search of a place of abode which may be executed by initial entry of the abode
- ☐ only in the daytime hours between 8:00 a.m. and 5:00 p.m., unless prior to the issuance of this SEARCH WARRANT, law-enforcement officers lawfully entered and secured the place to be searched and remained at such place continuously OR
- ☒ at any time for good cause shown.

As this SEARCH WARRANT authorizes a search of a place of abode, you are required to be recognizable and identifiable as a uniformed law-enforcement officer and to provide audible notice of your authority and purpose reasonably designed to be heard by the occupants of the place to be searched prior to the execution of this SEARCH WARRANT.

You are further commanded to seize said property, persons, and/or objects if they be found and to produce before the Fairfax County Circuit Court an inventory of all property, persons, and/or objects seized.

This SEARCH WARRANT is issued in relation to ☒ an offense substantially described as follows:

☐ a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:

Threats of death or bodily injury in violation of 18.2-60 of the code of Virginia as amended (1950)

☐ Supplemental sheet attached and incorporated by reference. Number of supplemental pages _____

I, the undersigned, have found probable cause to believe that the property or person constitutes evidence of the crime identified herein or tends to show that the person(s) named or described herein has committed or is committing a crime, or that the person to be arrested for whom a warrant or process for arrest has been issued is located at the place to be searched, and further that the search should be made, based on the statements in the attached affidavit sworn to by

A M Payne

NAME OF AFFIANT

09/24/2023 10:45 PM
DATE AND TIME

☐ CLERK ☒ MAGISTRATE ☐ JUDGE

1

FILE NO.

SEARCH WARRANT**COMMONWEALTH OF VIRGINIA**

v./In re

5601 Seminary Rd, Apt. 318, Falls Church, VA 22041

SEARCH INVENTORY AND RETURN

The following items, and no others, were seized under authority of this WARRANT:

1.
2.
3.
4.
5.
6.
7.
8.
9.
10.
11.
12.

The statement above is true and accurate to the best of my knowledge and belief.

.....
DATE

.....
EXECUTING OFFICER

Subscribed and sworn before me this day

.....
DATE

.....
[] CLERK [] MAGISTRATE [] JUDGE

FOR NOTARY PUBLIC'S USE ONLY:

State of [] City [] County of

Acknowledged, subscribed and sworn to before me this day of, 20

.....
NOTARY REGISTRATION NUMBER

.....
NOTARY PUBLIC
(My commission expires:)

EXECUTION

Executed by searching the within described place, person or thing.

.....
DATE AND TIME EXECUTED

.....
EXECUTING OFFICER

Certified to

Circuit Court on
DATE

.....
EXECUTING OFFICER

Received [] in person [] by certified mail
[] by electronically transmitted
facsimile

on
DATE

by:
CLERK OF CIRCUIT COURT

AFFIDAVIT FOR SEARCH WARRANT

Commonwealth of Virginia

VA. CODE § 19.2-54

The undersigned Applicant states under oath:

1. A search is requested in relation to ☒ an offense substantially described as follows:
☐ a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:
 Threats of death or bodily injury in violation of 18.2-60 of the code of Virginia as amended (1950)

[] CONTINUED ON ATTACHED SHEET

2. The place, person or thing to be searched is described as follows [] and is a place of abode:
 5601 Seminary Rd, Apt. 318, Falls Church, VA 22041

Apartment Complex located on Seminary Rd. The building has a tan brick facade and attached to it is a pedestrian bridge. The apartment is located on the third floor of the North Building. The apartment door is dark gray and on a placard next to the door is 318N in white writing.

[] CONTINUED ON ATTACHED SHEET

3. The things or persons to be searched for are described as follows:

Any and all firearms, and any components to include ammunition, magazines, frames, slides and any other parts pertaining to a firearm, records and documents pertaining to the sale and or purchase of firearms and any documents related to the crime of threats of death or bodily injury, and all electronic devices.

[] CONTINUED ON ATTACHED SHEET

(OVER)

FILE NO.

**AFFIDAVIT FOR
SEARCH WARRANT**

APPLICANT:

A M Payne

NAME

Detective

TITLE (IF ANY)

12099 Government Center Pkwy

ADDRESS

Fairfax, VA 22035

Certified to Clerk of

Fairfax County

CITY OR COUNTY

Circuit Court

on

09/24/2023

DATE

Magistrate

TITLE #1

SIGNATURE

Original Delivered [] in person [] by certified mail
 [] by electronically transmitted facsimile
 [] by use of filing/security procedures
 defined in the Uniform Electronic
 Transactions Act

to Clerk of _____ Circuit Court
 CITY OR COUNTY WHERE EXECUTED

on

DATE

TITLE

SIGNATURE

4. The material facts constituting probable cause that the search should be made are:

See Attached Affidavit

5. The object, thing or person to be searched for [] constitutes evidence of the commission of such offense ☒ is the person to be arrested for whom a warrant or process for arrest has been issued.

6. ☒ Authorization to execute a search warrant of a place of abode other than in the daytime hours between 8:00 a.m. and 5:00 p.m. is requested.
The material facts constituting good cause for such authorization are:

Your Affiant is requesting authorization to ensure the preservation of evidence.

- ☒ Reasonable efforts were made to locate a judge, and a judge is not available, before seeking authorization from a magistrate to execute a search warrant other than in the daytime hours between 8:00 a.m. and 5:00 p.m., with those reasonable efforts being as follows:

Contacted Police Liaison Commander who did not have after-hours contact for judge.

OR [] Reasonable efforts were not made to locate a judge as the following circumstances require the issuance of the search warrant after 5:00 p.m.:

7. ☒ I have personal knowledge of the facts set forth in this affidavit AND/OR
☒ I was advised of the facts set forth in this affidavit, in whole or in part, by one or more other person(s). The credibility of the person(s) providing this information to me and/or the reliability of the information provided may be determined from the following facts:

Information received from detectives and officers of the Prince William County and Anne Arundel County Police Departments.

The statements above are true and accurate to the best of my knowledge and belief.

Detective

TITLE OF APPLICANT

Subscribed and sworn to before me this day.

05/24/2023 10:45 PM

DATE AND TIME

APPLICANT

[] CLERK

☒ MAGISTRATE

[] JUDGE

**AFFIDAVIT
IN SUPPORT OF A SEARCH WARRANT**

Before the undersigned magistrate, in and for the County of Fairfax, Commonwealth of Virginia came this 24th day of September 2023, **Detective A. M. Payne** of the Fairfax County Police Department, hereafter referred to as “Your Affiant,” and **Detective C. Grantham** of the Prince William County Police Department hereafter referred to as “Your Co-Affiant”. Your Affiant hereby swears and affirms that the information contained in this affidavit is true and correct to the best of his knowledge and belief.

Your Affiant has been a sworn police officer for the County of Fairfax for over seven years. Your Affiant is currently assigned to the Organized Crime and Intelligence Bureau, Threat Assessment and Management Unit. Your Affiant has participated in numerous search warrants that have led to arrests and convictions in the Circuit and General District Courts of Fairfax County, Virginia. Your Affiant has made numerous arrests in the past that have led to convictions in the Circuit and General District Courts of Fairfax County, Virginia. Your Affiant has received formal training from the Fairfax County Criminal Justice Academy in Search Warrant Preparation, Search and Seizure, Interview and Interrogation, and Criminal Investigation. Your Affiant has been a sworn police officer during all times herein.

Your Affiant is requesting a search warrant in relation to **Section §18.2-60, 1950 Code of Virginia as amended, to wit: Threats of death or bodily injury.**

Your Affiant is requesting a search warrant for the premises, specifically known **5601 Seminary Rd, Apt. 318, Falls Church, VA 22041 (Fairfax County)**. The residence is located in an apartment complex called Skyline Towers located on Seminary Rd. The building has a tan brick facade and attached pedestrian bridge. The apartment is located on the third floor of the north building. The apartment door is dark gray in color and the lettering “318N” is located on a placard next to the door. The lettering is white in color.

This affidavit is based upon information that Your Affiant has gained from the investigation as well as information provided to Your Affiant by other persons during the course of the investigation thus far. Because this affidavit is being submitted for the limited purpose of securing a search warrant, Your Affiant bases probable cause upon the following facts, although not all information known to Your Affiant has been included in this affidavit:

AFFIDAVIT IN SUPPORT OF A SEARCH WARRANT

On September 24th, 2023, Anne Arundel Police Department took a report of a subject making concerning statements on his Instagram account, “ray43386.” One picture posted on September 23rd, 2023 showed the subject pointing what appeared to be a firearm at a TV screen that had a church on it. The caption had "God's worst enemy" written. Additionally, there was a video of the subject burning pages in a pot on their stovetop. The caption identified the pages as having come from a Bible.

There were several pictures posted to the subject’s Instagram account of the subject parked at Park Valley Church in Prince William County on the early morning hours of September 24th, 2023. The pictures had several different captions to include the following:

“Blood will be on your hands”

“When it all goes down #bulletToTheHead blood is on your hands”

“I’m not hear to sabotage the mission, I am here to deny the men the life God actively puts so much effort to deny. No women will be harmed.”

“Welcome to Park Valley Church attended by many top secret gov clearance holders in the area. From this day forward you will know that this is how you all repaid me. Blood will be on your hands”

“This is not personal. This is taking the lives that God denied me, the love that God blessed other men with.”

Included in the Instagram posts is a photo what appears to be a physical document which has been signed. The signature is only partially visible, as are the contents of the document. While the document is only partially visible, what can be read appears to match the captions placed on pictures the subject posted. While interviewed, the subject mentioned that he maintains a journal. During an interview the subject confirmed to be the owner of the Instagram account “ray43386” and admitted to making the posts in question.

On September 24th, 2023, the subject was located at Park Valley Church, during services, with a loaded firearm on his person. The subject was carrying an additional loaded magazine in his pants pocket. In his car, officers located another loaded magazine. The subject was detained.

**AFFIDAVIT
IN SUPPORT OF A SEARCH WARRANT**

Your Affiant requests permission to search **5601 Seminary Rd, Apt. 318, Falls Church, VA 22041 (Fairfax County)** for any and all firearms, and any components thereof to include ammunition, magazines, frames, slides, and any other parts pertaining to a firearm, records and documents pertaining to the sale and or purchase of firearms and any documents related to the crime of threats of death or bodily injury, and all electronic devices.

Based on the subject's firearms purchase history which shows they purchased a firearm in January and August of 2023, Your Affiant would submit that the residence contains more firearms than what were previously recovered by police.

Based on Your Affiant's knowledge, training, and experience, and the knowledge of other law enforcement personnel communicated to me, persons who commit crimes keep the fruits and instrumentalities of their crimes in their primary residence. It is in this fashion that they can check on the security of such items in privacy and with minimal fear of discovery.

Based on the aforementioned facts, Your Affiant would submit that the premises located at **5601 Seminary Rd, Apt. 318, Falls Church, VA 22041 (Fairfax County)** contains evidence of a violation of **18.2-60, 1950 Code of Virginia as amended**.



AFFIANT


Detective A. M. Payne



CO-AFFIANT

Detective C. Grantham

Subscribed and sworn before me this the 24th day of September, 2023


Magistrate #6

09/24/2023 0945 PM
Date/Time